

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application)
of U.S. Patent No. 6,036,226)
Inventors: Steven J. BROWN, et al.)
Application No.: Unassigned) Group Art Unit: 3611
Reissue Filing Date: March 1, 2002) Examiner in prior application: A. Ririe
For: INFLATOR CAPABLE OF)
MODULATION AIR BAG INFLATION)
RATE IN A VEHICLE OCCUPANT)
RESTRAINT APPARATUS)

ATTN: BOX REISSUE
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

We, Steven Joseph Brown, Larry Stefan Ingram, Neale Arthur Messina and Marek Tarczynski, all citizens of the United States, with residences and post office addresses as listed below, do hereby state and declare as follows:

1. We believe we are the original joint inventors of the subject matter which is described and claimed in United States Patent No. 6,036,226, granted on March 14, 2000, and for which a reissue patent is sought on the invention entitled, "INFLATOR CAPABLE OF MODULATION AIR BAG INFLATION RATE IN A VEHICLE OCCUPANT RESTRAINT APPARATUS."

2. We hereby claim the benefit under 35 U.S.C. § 119(e) of provisional patent application no. 60/037,234, filed in the United States on February 3, 1997.

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3. We hereby state that we have reviewed and understand the contents of the above-identified specification, including the original patent claims, and the claims in the Preliminary Amendment filed herewith.

4. We acknowledge the duty to disclose information that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

5. We believe U.S. Patent No. 6,036,226 to be, through error and without deceptive intent, at least partly inoperative by reason of our claiming less than we had a right to claim in the patent.

6. An error, which is a statutory basis for reissue, is that we unnecessarily limited the scope of patent protection to which we are entitled. Claims 1-38 do not cover the full breadth of our disclosed invention, and we erred by not pursuing during the original prosecution additional, broader claims, such as those filed in the Preliminary Amendment included with this application. For example, Applicants' patent protection need not be limited to an apparatus including a sensor, as required by independent claims 1 and 32, and Applicants' patent protection need not be limited to an apparatus including a housing as claimed in independent claim 14. These elements are not required in new claim 39, for example.

7. The above-described error and all other errors corrected in this reissue application arose without any deceptive intent.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

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statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**CONSENT OF ASSIGNEE, CERTIFICATE UNDER 37 C.F.R. § 3.73(b), OFFER TO
SURRENDER ORIGINAL PATENT & GRANT OF POWER OF ATTORNEY**

In accordance with 37 C.F.R. § 1.172(a), General Dynamics Armament Systems, Incorporated consents to the filing of the above-identified reissue application and, in accordance with 37 C.F.R. § 3.73(b), certifies that it is the assignee of the entire right, title, and interest in the above-identified patent by virtue of an assignment from the inventors of the patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel No. 8928, Frame No. 0243.

General Dynamics Armament Systems, Incorporated, pursuant to 37 C.F.R. § 1.178, also hereby offers to surrender the original patent.

I hereby declare that I am empowered to sign this document on behalf of General Dynamics Armament Systems, Incorporated, that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent or any further patent issuing thereon.

The undersigned hereby grants its power of attorney to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Customer No. 22,852, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No.

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Please send all future correspondence concerning this application to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. at the following address:

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